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Message Text

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43
ACTION ARA-17

INFO OCT-01 ADP-00 CIAE-00 COME-00 EB-11 INR-10 LAB-06

NSAE-00 RSC-01 SIL-01 DODE-00 PM-09 H-02 L-03 NSC-10

PA-03 PRS-01 SS-15 USIA-12 OMB-01 TRSE-00 AID-20

RSR-01 /124 W
---------- 065364
R 142323 Z MAY 73
FM AMEMBASSY SANTIAGO
TO SECSTATE WASHDC 4309
INFO USCINCSO

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USCINCSO FOR POLAD

EO 11652: N/ A
TAGS: CI PINT
SUBJ: ALLENDE SUBMITS " THREE- AREAS" CONFLICT
TO CONSTITUTIONAL TRIBUNAL

REF: SANTIAGO 1860

1. ON NATIONWIDE HOOK- UP MAY 11, PRES ALLENDE ANNOUNCED
THAT DAY BEFORE HE HAD ASKED CONSTITUTIONAL TRIBUNAL TO RULE
ON WHETHER OR NOT OPPOSITION- CONTROLLED CONGRESS HAD
IN FACT OVERRIDDEN EXECUTIVE' S VETO OF THREE- AREAS CONSTITUTIONAL
AMENDMENT (SEE SANTIAGO 1808) DESIGNED CURB GOVT' S NATIONALIZATION
DRIVE. (OPPOSITION CONTENDS SIMPLE MAJORITY SUFFICES TO OVERRIDE;
GOVT INSISTS 2/3 NEXESSARY JUST AS FOR ORDINARY LEGISLATION.
CONSTITUTION' S LANGUAGE IS FUZZY. OPPOSITION FURTHER INSISTS
CONSTITUTIONAL TRIBUNAL LACKS JURISDICTION TO RULE ON
ISSUE OF THIS SORT.)

2. ALLENDE ACCUSED OPPOSITION OF ATTEMPTING INSTITUTE
" PARLIAMENTARY DICTATORSHIP." OPPOSITION RETORTS, AS IT
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HAS ALL ALONG, THAT IF ALLENDE REFUSES ACCEPT CONGRESS' BILL HE HAS OPTION OF CONVOKING PLEBISCITE ON POINTS AT ISSUE.

3. AT FIRST PRELIMINARY SESSION, TRIBUNAL AGREED TO ASK CONGRESS TO SUBMIT ITS COMMENTS ON POINTS IN EXECUTIVE' S VETO MESSAGE, WITHOUT PREJUDICE TO WHETHER TRIBUNAL ULTIMATELY DECIDES TO ENTERTAIN DISPUTE. TRIBUNAL HAS MAXIMUM TWENTY DAYS TO RULE.

4. COMMENT: SINCE THREE OF ITS FIVE MEMBERS ARE GOVT APPOINTEES (SWING THIRD MAN IS JACOBO SCHAULSOHN, WHOM ALLENDE NOMINATED WITH PRIOR SENATE CONCURRENCE), MANY IN OPPOSITION FEAR PRO- GOVT VERDICT ASSURED ON ISSUE OF THIS POLITICAL MAGNITUDE. ON LESSER ISSUES, HOWEVER, CONSTITUTIONAL TRIBUNAL HAS RULED BOTH FOR AND AGAINST GOV T, AND OPINIONS HAVE NOT ALWAYS BROKEN ALONG 3-2 LINES.
DAVIS

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*** Current Handling Restrictions *** n/a
*** Current Classification *** LIMITED OFFICIAL USE

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Message Attributes

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Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: elyme
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
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Disposition Reason:
Disposition Remarks:
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